

SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM

**SUBJECT:** Request for a (1) lot size variance from 8400 square feet to 4160 square feet; (2) a width at the building line from 70 feet to 40 feet; (3) a side yard (east) setback variance from 7.5 feet to 6.5; (4) a side yard (west) setback variance from 7.5 feet to 6.5 feet; and a (5) a rear yard (south) setback variance from 30 feet to 13 feet for a proposed single family home in R-1 (Single Family Dwelling District); (London Campbell, Applicant).

**DEPARTMENT:** Planning & Development      **DIVISION:** Planning

**AUTHORIZED BY:** Kathy Fall      **CONTACT:** Rufus Brown      **EXT.** 7357

**Agenda Date** 12/04/06    **Regular**     **Consent**     **Public Hearing – 6:00**

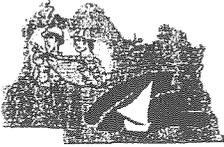
**MOTION/RECOMMENDATION:**

1. **APPROVE** the request for a (1) lot size variance from 8400 square feet to 4160 square feet; (2) a width at the building line from 70 feet to 40 feet; (3) a side yard (east) setback variance from 7.5 feet to 6.5; (4) a side yard (west) setback variance from 7.5 feet to 6.5 feet; and a (5) a rear yard (south) setback variance from 30 feet to 13 feet for a proposed single family home in R-1 (Single Family Dwelling District); or
2. **DENY** the request for a (1) lot size variance from 8400 square feet to 4160 square feet; (2) a width at the building line from 70 feet to 40 feet; (3) a side yard (east) setback variance from 7.5 feet to 6.5; (4) a side yard (west) setback variance from 7.5 feet to 6.5 feet; and a (5) a rear yard (south) setback variance from 30 feet to 13 feet for a proposed single family home in R-1 (Single Family Dwelling District); or
3. **CONTINUE** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	Applicant:	London Campbell
	Owner:	Tewana Chisholm
	Location:	Sipes Avenue
	Zoning:	R-1 (Single Family Dwelling District)
	Subdivision:	Midway

<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"><li>• The applicant proposes to construct a single family home on a vacant lot.</li><li>• The lot was platted in 1910 as the AC Maxwellis Midway Subdivision in which the dimensions of the lot are 40' x 104'.</li><li>• The applicant proposes to construct a one story single family home that is approximately 1780 square feet.</li><li>• The proposed property is located in the Midway community which has been designated as a Community Development Target area by Seminole County in order to promote new housing opportunities.</li><li>• There are currently no code enforcement or building violations for this property.</li><li>• There is no record of prior variances for this property.</li></ul>
<b>STAFF FINDINGS</b>	<p>The applicant has not satisfied the criteria for the grant of a variance. Staff has determined that:</p> <ul style="list-style-type: none"><li>• The subject lot is a parcel of record as of 1910. Special conditions or circumstances exist, which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or building in the same zoning district.</li><li>• Policy FLU 3.2, adopted on September 11, 1991, states the county shall reduce uses that are inconsistent with community character by requiring the combining of lots. AC Maxwellis Midway Subdivision platted lots have been developed into single family lots without the requirement of combinations therefore the request would not be inconsistent with the community character.</li><li>• Special conditions and circumstances result from the actions of the applicant.</li><li>• The granting of the variance requested would not confer on the applicant special privileges that are denied by Chapter 30 to other lands, buildings, or structures in the same zoning district.</li><li>• The literal interpretation of the provisions of Chapter 30 would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification.</li><li>• The variance granted is the minimum variance that will make possible reasonable use of the land, building or structure.</li><li>• The applicant would not retain reasonable use of the</li></ul>

	<p>land, building or structure without the granting of the variance.</p> <ul style="list-style-type: none"><li>• The grant of the variance would be in harmony with the general intent of Chapter 30.</li></ul>
<b>STAFF RECOMMENDATION</b>	<ul style="list-style-type: none"><li>• Based on the stated findings, staff recommends approval of the request, unless the applicants can demonstrate a hardship. If the board should decide to grant a variance, staff recommends the following conditions of approval:<ul style="list-style-type: none"><li>• Any variance granted shall apply only to the lot and the proposed single family home as depicted on the attached site plan; and</li><li>• Any additional condition(s) deemed appropriate by the board, based on information presented at the public hearing.</li></ul></li></ul>



**COPY**

APPL. NO. BV 2006-183

**APPLICATION TO THE SEMINOLE COUNTY BOARD OF ADJUSTMENT**

Applications to the Seminole County Board of Adjustment shall include all applicable items listed in the Board of Adjustment Process Checklist. No application will be scheduled for Board of Adjustment consideration until a complete application (including all information requested below) has been received by the Planning & Development Department, Planning Division. Applications for SPECIAL EXCEPTION shall only be received for processing following pre-application conference.

**APPLICATION TYPE:**

- VARIANCE** Lot size VARIANCE From 8,400 to 5,600
- SPECIAL EXCEPTION** \_\_\_\_\_
- MOBILE HOME SPECIAL EXCEPTION** \_\_\_\_\_
- EXISTING (YEAR \_\_\_\_\_)  PROPOSED (YEAR \_\_\_\_\_)
- REPLACEMENT (YEAR \_\_\_\_\_) SIZE OF MOBILE HOME \_\_\_\_\_
- ANTICIPATED TIME MOBILE HOME IS NEEDED \_\_\_\_\_
- PLAN TO BUILD  YES  NO IF SO, WHEN \_\_\_\_\_
- MEDICAL HARDSHIP  YES (LETTER FROM DOCTOR REQUIRED)  NO
- APPEAL FROM DECISION OF THE PLANNING MANAGER** \_\_\_\_\_

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME	<u>Jewana Chisolm Campbell</u>	<u>London Campbell</u>
ADDRESS	<u>4571 M/Kay St.</u>	<u>4571 M/Kay St.</u>
PHONE 1	<u>407-408-9843</u>	<u>407-435-1643</u>
PHONE 2		
E-MAIL		

PROJECT NAME: Sipes Ave.

SITE ADDRESS: Sipes

CURRENT USE OF PROPERTY: VACANT Residential 1 - R-1

LEGAL DESCRIPTION: Leg Lot 296 midway PB Z PG. 41

SIZE OF PROPERTY: 40x104 5,600 acre(s) PARCEL I.D. 32-19-31-513-0000-2960

UTILITIES:  WATER  WELL  SEWER  SEPTIC TANK  OTHER \_\_\_\_\_

KNOWN CODE ENFORCEMENT VIOLATIONS \_\_\_\_\_

IS PROPERTY ACCESSIBLE FOR INSPECTION  YES  NO

This request will be considered at the Board of Adjustment regular meeting on 12/4/06 (mo/day/yr), in the Board Chambers (Room 1028) at 6:00 p.m. on the first floor of the Seminole County Services Building, located at 1101 East First Street in downtown Sanford, FL. 10-

I hereby affirm that all statements, proposals, and/or plans submitted with or contained within this application are true and correct to the best of my knowledge.

Jewana Campbell 10-10-06  
 SIGNATURE OF OWNER OR AGENT\* DATE

\* Proof of owner's authorization is required with submittal if signed by agent.

**ADDITIONAL VARIANCES**

VARIANCE 2:

Width at Building Line From 70' to 40'

VARIANCE 3:

EAST. Side yard set-back variance  
From ~~7.5'~~ 7.5' to 6.5'

VARIANCE 4:

West ~~side~~ side yard set-back variance  
From 7.5' to 6.5'

VARIANCE 5:

Rear yard set-back variance From  
30' to 13'

VARIANCE 6:

VARIANCE 7:

**APPEAL FROM BOA DECISION TO BCC**

**APPELLANT INFORMATION**

NAME	
ADDRESS	
PHONE 1	
PHONE 2	
E-MAIL	

NATURE OF THE APPEAL \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ APPELLANT SIGNATURE \_\_\_\_\_

**FOR OFFICE USE ONLY**

**PROCESSING:**

FEE(S): 360.00 COMMISSION DISTRICT \_\_\_\_\_ FLU/ZONING R-1 / LDR

BCC HEARING DATE \_\_\_\_\_ (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS \_\_\_\_\_

PLANNING ADVISOR \_\_\_\_\_ DATE \_\_\_\_\_

SUFFICIENCY COMMENTS \_\_\_\_\_

\_\_\_\_\_

40'

LOT 296  
(MIDWAY)

13'

NEW  
SFH

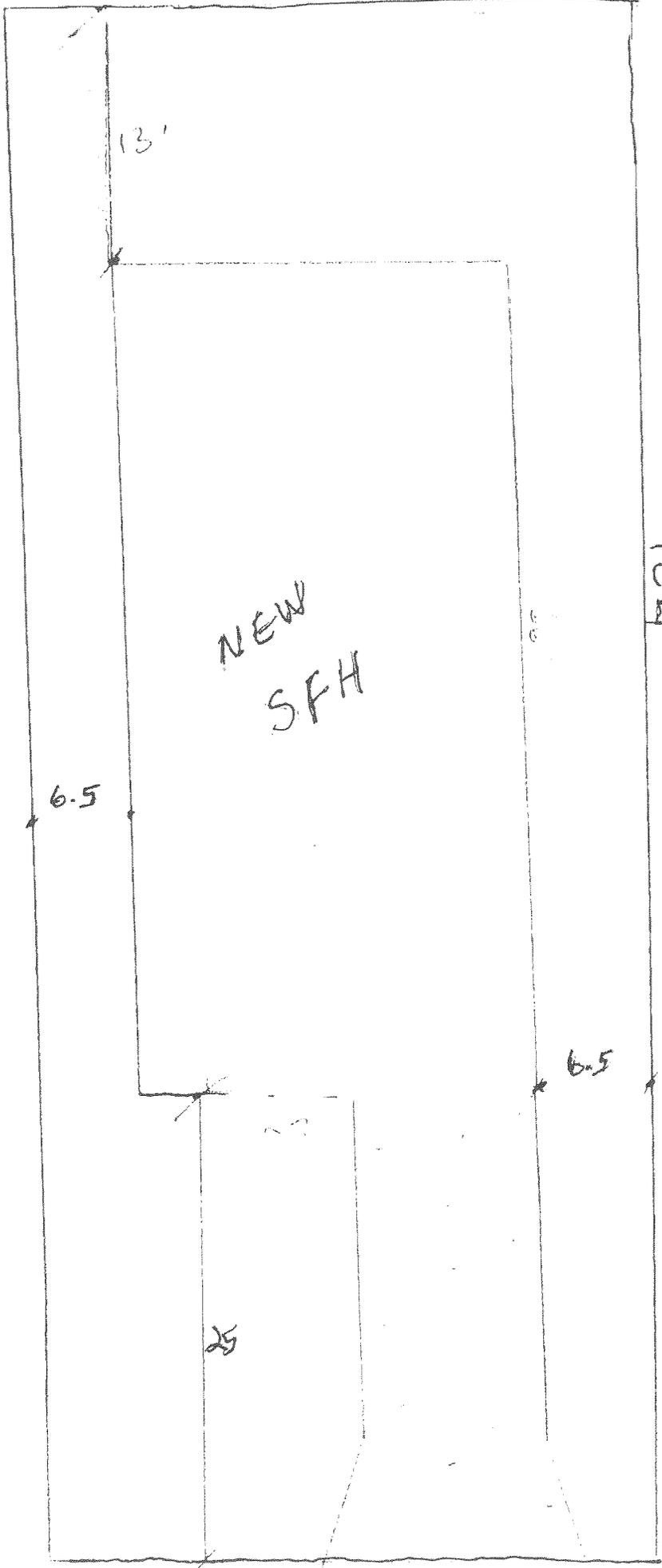
104'

6.5

6.5

25

(Scale)  
1" = 10'



PLAT OF SURVEY

DESCRIPTION

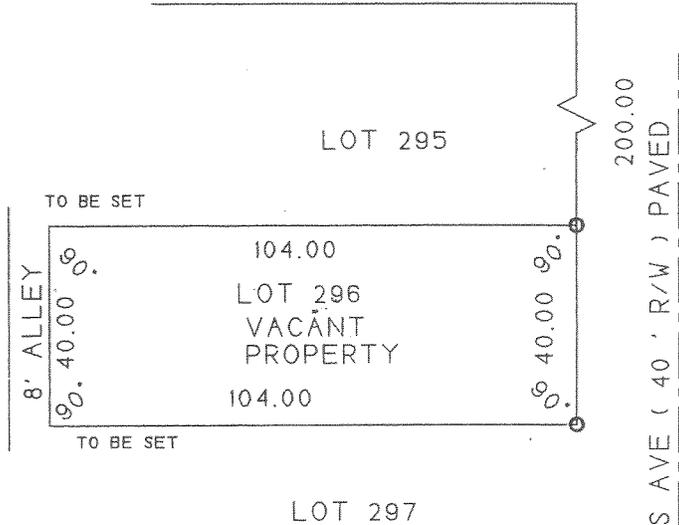
LOT 296 MIDWAY

AS RECORDED IN MAP BOOK 1 PAGE(S) 41 OF  
THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA

CERTIFIED TO:

TEWANA CHISHOLM

SOUTH R/W OF KINGS RD



NOTES:

- 1 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER
- 2 THIS SURVEY WAS PREPARED FROM TITLE INFORMATION FURNISHED TO THE SURVEYOR. THERE MAY BE OTHER RESTRICTIONS OR UNRECORDED EASEMENTS THAT EFFECT THIS PROPERTY.
- 3 NO UNDER GROUND IMPROVEMENTS HAVE BEEN LOCATED UNLESS OTHER WISE SHOWN
- 4 DIMENSIONS SHOWN FOR THE LOCATION OF IMPROVEMENTS HEREON SHOULD NOT BE USED TO RECONSTRUCT BOUNDARY LINES.
- 5 BEARINGS ARE BASED ON ASSUMED DATUM AND ON THE LINE SHOWN AS BASE BEARING (B.B.).
- 6 VERTICAL CONTROL (NATIONAL GEODETIC VERTICAL DATUM 1929)

LEGEND:

- |                            |                             |                        |
|----------------------------|-----------------------------|------------------------|
| ELEV - ELEVATION           | N&D - NAIL AND DISK         | BLK - BLOCK            |
| FD - FOUND                 | POB - POINT OF BEGINNING    | ESMT - EASEMENT        |
| ESMT - EASEMENT            | POC - POINT OF COMMENCEMENT | IP - IRON PIPE         |
| STY - STORY                | CB - CHORD BEARING          | R - RADIUS             |
| CL - CENTERLINE            | R/W - RIGHT OF WAY          | Δ - DELTA              |
| X-X-X - FENCE              | PL - PROPERTY LINE          | C - CHORD              |
| RES - RESIDENCE            | PC - POINT OF CURVE         | L - LENGTH             |
| BLDG - BUILDING            | CONC - CONCRETE             | P - PLAT               |
| WD FRM - WOOD FRAME        | MON - MONUMENT              | • - NUMBER             |
| UTIL - UTILITY             | RD - ROAD                   | ■ - FD CONC MON •      |
| ⊙ - FD REBAR •             | ○ - SET REBAR •2259         | □ - SET CONC MON •2259 |
| TBM - TEMPORARY BENCH MARK |                             | INV - INVERT           |
| N.G. - NATURAL GROUND      | FF - FINISH FLOOR           | BM - BENCH MARK        |

PREPARED FOR LONDON CAMPBELL

TYPE SURVEY BOUNDARY	DATE: 6/27/2006
SCALE 1" = 30'	DRAWING NO:
JOB NO:	SHEET: 1 OF: 1

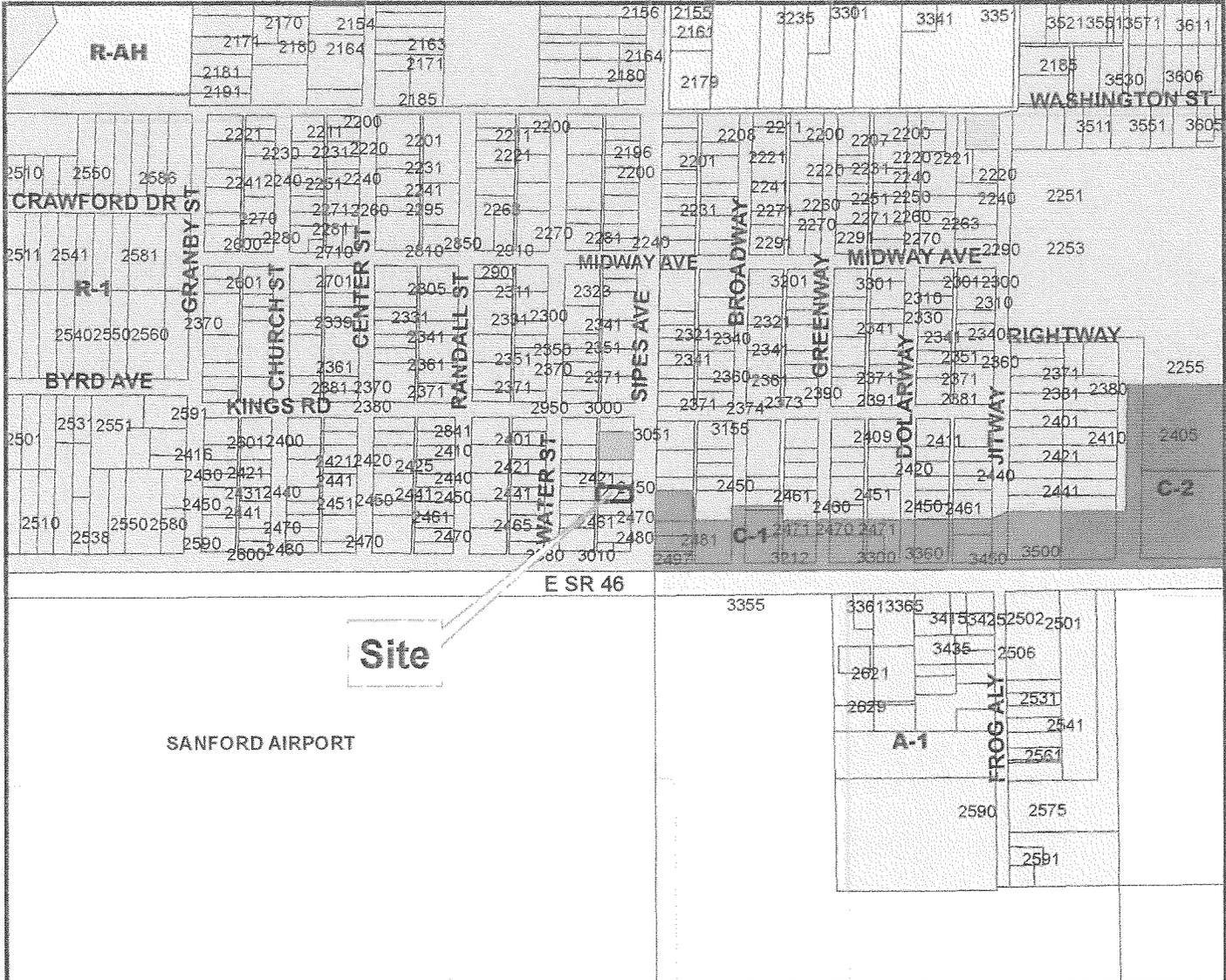
M. EDWARD GORDON SURVEYING

*M. Edward Gordon*  
REGISTERED LAND SURVEYOR #2259  
PO Box 1557 SANFORD, FLORIDA 32772 PHONE 324 5720  
506 WEST 11 TH STREET SANFORD, FLORIDA

THE SURVEY DEPICTED HERE IS NOT COVERED BY PROFESSIONAL LIABILITY INSURANCE

<b>PARCEL DETAIL</b>  DAVID JOHNSON, CFA, ASA  <b>PROPERTY APPRAISER</b>  SEMINOLE COUNTY FL  1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7508	272			142	152																													
	273	292	292	143	153																													
	274	293	293	144	154																													
	275	294	294	145	155																													
	276	295	295	146	156																													
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	278	297	297	148	158																													
	279	298	298	149	159																													
	280	299	299	150	160																													
	<p align="center"><b>GENERAL</b></p> <p>Parcel Id: 32-19-31-513-0000-2960                  Owner: CHISHOLM TEWANA                  Mailing Address: 2529 DAFFADIL TER                  City,State,ZipCode: SANFORD FL 32771                  Property Address: SIPES AVE SANFORD 32771                  Subdivision Name: MIDWAY                  Tax District: 01-COUNTY-TX DIST 1                  Exemptions:                  Dor: 00-VACANT RESIDENTIAL</p>						<p align="center"><b>2007 WORKING VALUE SUMMARY</b></p> <p>Value Method: Market                  Number of Buildings: 0                  Depreciated Bldg Value: \$0                  Depreciated EXFT Value: \$0                  Land Value (Market): \$4,200                  Land Value Ag: \$0                  Just/Market Value: \$4,200                  Assessed Value (SOH): \$4,200                  Exempt Value: \$0                  Taxable Value: \$4,200                  Tax Estimator</p>																											
	<p align="center"><b>SALES</b></p> <table border="1"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> <th>Qualified</th> </tr> </thead> <tbody> <tr> <td>QUIT CLAIM DEED</td> <td>06/2006</td> <td>06294</td> <td>0185</td> <td>\$100</td> <td>Vacant</td> <td>No</td> </tr> <tr> <td>PROBATE RECORDS</td> <td>04/2006</td> <td>06212</td> <td>1165</td> <td>\$100</td> <td>Vacant</td> <td>No</td> </tr> <tr> <td>ADMINISTRATIVE DEED</td> <td>01/1977</td> <td>01114</td> <td>1549</td> <td>\$2,500</td> <td>Improved</td> <td>Yes</td> </tr> </tbody> </table> <p align="center">Find Comparable Sales within this Subdivision</p>						Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	QUIT CLAIM DEED	06/2006	06294	0185	\$100	Vacant	No	PROBATE RECORDS	04/2006	06212	1165	\$100	Vacant	No	ADMINISTRATIVE DEED	01/1977	01114	1549	\$2,500	Improved	Yes
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<p><b>NOTE:</b> Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.                  *** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</p>																																		

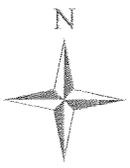
**London Campbell  
Lot 296, Midway  
Sipes Avenue, Sanford, FL 32771**

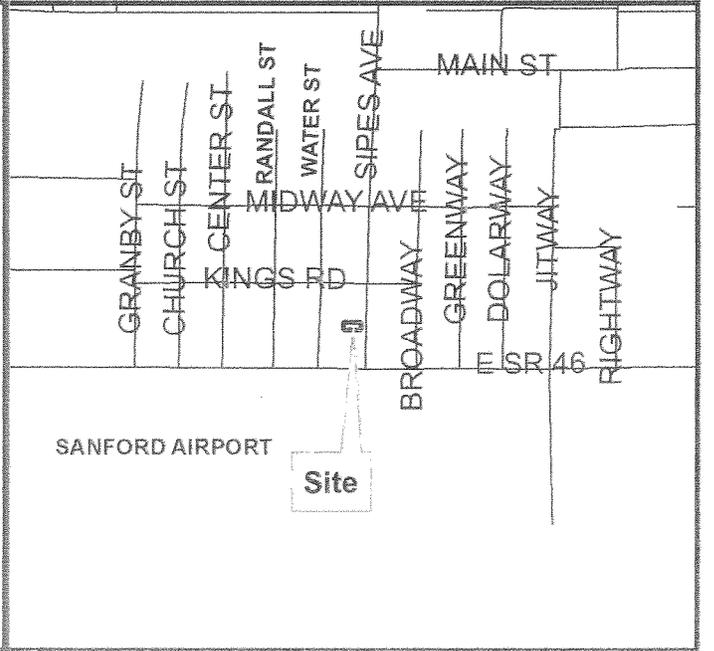


**Seminole County Board of Adjustment  
December 4, 2006  
Case: BV2006-183 (Map 3054, Grid C4)  
Parcel No: 32-19-31-513-0000-2960**

**Zoning**

	BV2006-183		R-3
	A-1		R-AH
	R-1		C-1
	R-2		C-2

N  




10/13/06

Juwana Chesholm give  
London Campbell permission  
to represent me for the variance  
needed for my lot in subway  
off of Sipes St. Thank  
Juwana Chesholm

## SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On December 4, 2006 Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 296 MIDWAY PB 1 PG 41

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

### FINDINGS OF FACT

**Property Owner:** Tewana Chisholm  
Sipes Avenue  
Sanford, FL 32771

**Project Name:** Sipes Ave (Lot 296)

**Requested Development Approval:**

Request for a (1) lot size variance from 8400 square feet to 4160 square feet; (2) a width at the building line from 70 feet to 40 feet; (3) a side yard (east) setback variance from 7.5 feet to 6.5; (4) a side yard (west) setback variance from 7.5 feet to 6.5 feet; and a (5) a rear yard (south) setback variance from 30 feet to 13 feet for a proposed single family home in R-1 (Single Family Dwelling District).

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Rufus Brown, Planning Intern  
1101 East First Street  
Sanford, Florida 32771

**Order**

**NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:
  1. The variance granted will apply only to the (Structure) as depicted on the attached site plan.
- (4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: \_\_\_\_\_  
April Boswell, AICP  
Planning Manager

STATE OF FLORIDA     )  
COUNTY OF SEMINOLE )

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared \_\_\_\_\_ who is personally known to me or who has produced \_\_\_\_\_ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Notary Public, in and for the County and State  
Aforementioned

My Commission Expires:

FILE NO.: BV2006-183

DEVELOPMENT ORDER #

06 30000177